

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

TIAA-CREF LARGE-CAP GROWTH
FUND, et al.,

Plaintiffs,

vs.

ALLERGAN PLC, et al.,

Defendants.

Civil Action No. 2:17-cv-11089 (KSH) (CLW)

**STIPULATION AND
ORDER**

WHEREAS, on November 3, 2017, Plaintiffs in the above-captioned action (“Plaintiffs”) filed a complaint against Allergan PLC, Paul M. Bisaro, Brenton L. Saunders, R. Todd Joyce, Maria Teresa Hilado, Sigurdur O. Olafsson, David A. Buchen, A. Robert D. Bailey, James H. Bloem, Christopher W. Bodine, Tamar D. Howson, John A. King, Catherine M. Klema, Jiri Michal, Jack Michelson, Patrick J. O’Sullivan, Ronald R. Taylor, Andrew L. Turner, Fred G. Weiss, Nesli Basgoz, Christopher J. Coughlin, and James D’Arecca (together, “Defendants,” and together with Plaintiffs, the “Parties”), asserting federal securities claims (the “Individual Action Complaint”);

WHEREAS, the undersigned counsel for the Defendants in the above-captioned action was authorized to accept, and on November 17, 2017 did accept, service of the Summonses and the Individual Action Complaint on behalf of the Defendants named therein;

WHEREAS, on November 28, 2017, Plaintiffs in the related class action, *In re Allergan Generic Drug Pricing Securities Litigation*, Civil Action No. 2:16-cv-9449-KSH-CLW, filed in

this Court their consolidated second amended class action complaint asserting federal securities claims against nearly all of the Defendants in this action (the "Class Action Complaint"); and

WHEREAS, Defendants will be filing a motion to dismiss the Class Action Complaint on or before January 22, 2018;

IT IS HEREBY STIPULATED AND AGREED, by the undersigned counsel on behalf of the Parties, as follows:

1. Defendants' time to respond to the Individual Action Complaint is stayed pending the Court's decision on Defendants' forthcoming motion to dismiss the Class Action Complaint;

2. Within fourteen (14) days of the issuance of an order by the Court resolving Defendants' motion to dismiss the Class Action Complaint, the Parties shall meet and confer and propose a schedule for further proceeding in this action, including the filing of any amendment and/or response to the Individual Action Complaint; and

3. If Defendants' motion to dismiss the Class Action Complaint is denied, either in whole or in any part, discovery shall commence in this action, to the extent it proceeds in the Class Action, and there shall be no stay of discovery regardless of whether any of the Defendants file a motion to dismiss the Individual Action Complaint, provided that Plaintiffs shall not utilize any documents or testimony from such discovery in opposing any Defendant's motion to dismiss the Individual Action Complaint.

Respectfully Submitted,

SEEGER WEISS LLP

Dated: December 15, 2017

/s/ Christopher A. Seeger

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Dated: December 15, 2017

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PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

Dated: January 25,, 2018



HON. CATHY L. WALDOR
UNITED STATES MAGISTRATE JUDGE